



09/970,597

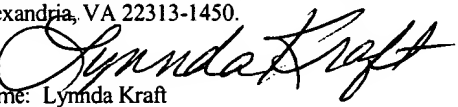
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Cohen-Haguenauer	Examiner:	Nguyen, Dave T.
Serial No.:	09/970,597	Group Art Unit:	1632
Filed:	October 4, 2001	Docket No.:	12291.0053USC2
Title:	Retroviral Vectors for the Transfer and Expression of Genes for Therapeutic Purposes in Eukaryotic Cells		

CERTIFICATE UNDER 37 CFR 1.10:  
"Express Mail" mailing label number: EV 321726180 US  
Date of Deposit: March 3, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By   
Name: Lynda Kraft

TERMINAL DISCLAIMER TO OBVIATE  
A DOUBLE PATENTING REJECTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**  
**MAR 10 2004**

Dear Sir:

Petitioner, Odile Cohen-Haguenauer, residing at 35 Rue Cort Ambert, 75116 Paris, France, represents that she is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 09/970,597, filed on October 4, 2001 and entitled Retroviral Vectors for the Transfer and Expression of Genes for Therapeutic Purposes in Eukaryotic Cells.

Petitioner, Odile Cohen-Haguenauer, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,312,948 B1 and hereby agrees that any patent so granted on the above-identified application

shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,312,948 B1, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of United States Patent No. 6,312,948 B1, in the event that United States Patent No. 6,312,948 B1 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: March 3, 2004

Katherine M. Kowalchyk  
Katherine M. Kowalchyk

**THE STATEMENT BELOW IS FOR OFFICE USE ONLY**

In accordance with the decision granting the petition filed on \_\_\_\_\_, \_\_\_\_\_, this terminal disclaimer is accepted. The period of patent lapse specified above has been accepted as equivalent to \_\_\_\_\_ months.

\_\_\_\_\_  
Petitions Examiner

**23552**

PATENT TRADEMARK OFFICE